

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

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IN THE MATTER OF THE FILING BY  
SUPERIOR RENEWABLE ENERGY, LLC  
ET AL. AGAINST MONTANA-DAKOTA  
UTILITIES CO. REGARDING THE JAVA  
WIND PROJECT

EL04-016

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Transcript of Proceedings  
December 28, 2004

**ORIGINAL**

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BEFORE THE PUBLIC UTILITIES COMMISSION,  
ROBERT SAHR, CHAIRMAN  
GARY HANSON, VICE CHAIRMAN  
JIM BURG, COMMISSIONER

COMMISSION STAFF  
Rolayne Ailts Wiest  
John Smith  
Karen Cremer  
Sara Harens  
Greg Rislov  
Harlan Best  
Keith Senger  
Dave Jacobson  
Michele Farris  
Tina Douglas  
Heather Forney  
Pam Bonrud

**RECEIVED**

JAN 10 2005

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**

Reported By Cheri McComsey Wittler, RPR

**PRECISION REPORTING**  
**L I M I T E D**

## 1 APPEARANCES BY TELEPHONE

2 Bill Heaston  
3 Brad Moody  
4 Suzan Stewart  
5 Denny Law  
6 Colleen Sevold  
7 Talbot Wieczsorek  
8 Dana Palmer  
9 Mark Ayotte  
10 Faye Jandreau  
11 Doug Eidahl  
12 Marcia Huber  
13 Dan Daly  
14 Bruce Biewald  
15 Jerry Reisenauer  
16 Tom Welk  
17 Tim Goodwin

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TRANSCRIPT OF PROCEEDINGS, held in the  
above-entitled matter, at the South Dakota State  
Capitol, Room 412, 500 East Capitol Avenue, Pierre,  
South Dakota, on the 28th day of December 2004,  
commencing at 9:30 a.m.

1 CHAIRMAN SAHR: EL04-016, In the  
2 matter of the filing of Superior Renewable Energy,  
3 LLC et al. against Montana-Dakota Utilities Company  
4 regarding the Java Wind Project.

5 And the question today is shall the Commission  
6 authorize the Executive Director to enter into a  
7 consulting contract with Synopsis Energy Economics,  
8 Inc.?

9 Ms. Harens.

10 MS. HARENS: Thank you,  
11 Chairman Sahr. As the Commission is well-aware of  
12 this Docket that is before them, this Docket  
13 involves a question of first impression that has  
14 never come before the Commission before, and that  
15 is dealing with the issues of avoided costs.

16 Staff is requesting that we be able to hire a  
17 consultant to help us with this avoided cost study.  
18 We did research. We made initial contacts. We  
19 conducted telephone interviews, and ultimately we  
20 decided that Synapse is the best fit for us and for  
21 this Commission to help us with this Docket.

22 As for -- my memo pretty much lays out all of  
23 the process that we went through. It includes the  
24 proposal from Synapse and also the contract that we  
25 are willing to enter into with Synapse, and we

1 would request permission from you to do that.

2 Bruce Biewald is from Synapse. He's on the  
3 line right now in case you have any questions of  
4 him. And if you have any questions of staff or me  
5 at this time, I would take them as well.

6 CHAIRMAN SAHR: Thank you. And I  
7 appreciate the detailed memo. That was very  
8 useful.

9 Any question from the Commissioners or  
10 advisers?

11 COMMISSIONER BURG: I probably have  
12 a general question. Will that cost come out of  
13 just normal PUC? Have we determined that yet, the  
14 payment, or will there be an assessment on that?

15 MS. HARENS: The Commission hasn't  
16 made a determination as to any assessments at this  
17 time. However, I think that will be imminent after  
18 this decision is made as to this consulting  
19 contract.

20 CHAIRMAN SAHR: Thank you. Any  
21 other questions?

22 Seeing none, I will move that we authorize the  
23 Executive Director to enter into a consulting  
24 contract with Synapse Energy Economics, Inc.

25 VICE CHAIR HANSON: Second.

COMMISSIONER BURG: I'll concur.

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STATE OF SOUTH DAKOTA )

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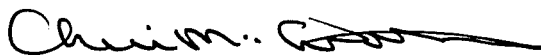
CERTIFICATE

COUNTY OF HUGHES )

I, CHERI MCCOMSEY WITTLER, a Registered  
Professional Reporter and Notary Public in and for the  
State of South Dakota:

DO HEREBY CERTIFY that as the duly-appointed  
shorthand reporter, I took in shorthand the proceedings  
had in the above-entitled matter on the 28th day of  
December 2004, and that the attached is a true and  
correct transcription of the proceedings so taken.

Dated at Pierre, South Dakota this 10th day  
of January 2005.



Cheri McComsey Wittler,  
Notary Public and  
Registered Professional Reporter

# Word Index

|                                        |                                                                |                                         |                                        |
|----------------------------------------|----------------------------------------------------------------|-----------------------------------------|----------------------------------------|
| <b>1</b>                               | <b>Case</b><br>[1] 4:3                                         | <b>[2] 3:6 4:23</b>                     | <b>Impression</b><br>[1] 3:13          |
| <b>10th</b><br>[1] 6:13                | <b>CERTIFICATE</b><br>[1] 6:2                                  | <b>Docket</b><br>[3] 3:12 3:12 3:21     | <b>Inc</b><br>[2] 3:8 4:24             |
| <b>2</b>                               | <b>CERTIFY</b><br>[1] 6:8                                      | <b>Doug</b><br>[1] 2:6                  | <b>Includes</b><br>[1] 3:23            |
| <b>2004</b><br>[3] 1:8 2:15 6:11       | <b>CHAIR</b><br>[1] 4:25                                       | <b>Douglas</b><br>[1] 1:18              | <b>Initial</b><br>[1] 3:18             |
| <b>2005</b><br>[1] 6:14                | <b>Chairman</b><br>[6] 1:11 1:11 3:1 3:11 4:6 4:20             | <b>Duly-appointed</b><br>[1] 6:8        | <b>Interviews</b><br>[1] 3:19          |
| <b>28</b><br>[1] 1:8                   | <b>Cheri</b><br>[3] 1:24 6:5 6:18                              | <b>E</b>                                | <b>Involves</b><br>[1] 3:13            |
| <b>28th</b><br>[2] 2:15 6:10           | <b>CO</b><br>[1] 1:5                                           | <b>East</b><br>[1] 2:14                 | <b>Issues</b><br>[1] 3:15              |
| <b>4</b>                               | <b>Colleen</b><br>[1] 2:4                                      | <b>Economics</b><br>[2] 3:7 4:24        | <b>J</b>                               |
| <b>412</b><br>[1] 2:14                 | <b>Commencing</b><br>[1] 2:16                                  | <b>Eidahl</b><br>[1] 2:6                | <b>Jacobson</b><br>[1] 1:17            |
| <b>5</b>                               | <b>Commission</b><br>[8] 1:1 1:10 1:13 3:5 3:11 3:14 3:21 4:15 | <b>EL04-016</b><br>[2] 1:5 3:1          | <b>Jandreau</b><br>[1] 2:6             |
| <b>500</b><br>[1] 2:14                 | <b>COMMISSIONER</b><br>[3] 1:12 4:11 5:1                       | <b>Energy</b><br>[4] 1:4 3:2 3:7 4:24   | <b>January</b><br>[1] 6:14             |
| <b>9</b>                               | <b>Commissioners</b><br>[1] 4:9                                | <b>Enter</b><br>[3] 3:6 3:25 4:23       | <b>Java</b><br>[2] 1:5 3:4             |
| <b>9:30</b><br>[1] 2:16                | <b>Company</b><br>[1] 3:3                                      | <b>Et</b><br>[2] 1:5 3:3                | <b>Jerry</b><br>[1] 2:8                |
| <b>A</b>                               | <b>Concur</b><br>[1] 5:1                                       | <b>Executive</b><br>[2] 3:6 4:23        | <b>JIM</b><br>[1] 1:12                 |
| <b>A.m.</b><br>[1] 2:16                | <b>Conducted</b><br>[1] 3:19                                   | <b>F</b>                                | <b>John</b><br>[1] 1:14                |
| <b>Able</b><br>[1] 3:16                | <b>Consultant</b><br>[1] 3:17                                  | <b>Farris</b><br>[1] 1:17               | <b>K</b>                               |
| <b>Above-entitled</b><br>[2] 2:13 6:10 | <b>Consulting</b><br>[3] 3:7 4:18 4:23                         | <b>Faye</b><br>[1] 2:6                  | <b>Karen</b><br>[1] 1:14               |
| <b>Advisers</b><br>[1] 4:10            | <b>Contacts</b><br>[1] 3:18                                    | <b>Filing</b><br>[2] 1:4 3:2            | <b>Keith</b><br>[1] 1:16               |
| <b>Ailts</b><br>[1] 1:13               | <b>Contract</b><br>[4] 3:7 3:24 4:19 4:24                      | <b>First</b><br>[1] 3:13                | <b>L</b>                               |
| <b>Al</b><br>[2] 1:5 3:3               | <b>Correct</b><br>[1] 6:12                                     | <b>Fit</b><br>[1] 3:20                  | <b>Law</b><br>[1] 2:3                  |
| <b>APPEARANCES</b><br>[1] 2:1          | <b>Cost</b><br>[2] 3:17 4:12                                   | <b>Forney</b><br>[1] 1:18               | <b>Lays</b><br>[1] 3:22                |
| <b>Appreciate</b><br>[1] 4:7           | <b>Costs</b><br>[1] 3:15                                       | <b>G</b>                                | <b>Line</b><br>[1] 4:3                 |
| <b>Assessment</b><br>[1] 4:14          | <b>COUNTY</b><br>[1] 6:3                                       | <b>GARY</b><br>[1] 1:11                 | <b>LLC</b><br>[2] 1:4 3:3              |
| <b>Assessments</b><br>[1] 4:16         | <b>Cremer</b><br>[1] 1:14                                      | <b>General</b><br>[1] 4:12              | <b>M</b>                               |
| <b>Attached</b><br>[1] 6:11            | <b>D</b>                                                       | <b>Goodwin</b><br>[1] 2:9               | <b>Marcia</b><br>[1] 2:7               |
| <b>Authorize</b><br>[2] 3:6 4:22       | <b>Dakota</b><br>[6] 1:2 2:13 2:15 6:1 6:7 6:13                | <b>Greg</b><br>[1] 1:15                 | <b>Mark</b><br>[1] 2:5                 |
| <b>Avenue</b><br>[1] 2:14              | <b>Daly</b><br>[1] 2:7                                         | <b>H</b>                                | <b>Matter</b><br>[4] 1:4 2:13 3:2 6:10 |
| <b>Avoided</b><br>[2] 3:15 3:17        | <b>Dan</b><br>[1] 2:7                                          | <b>HANSON</b><br>[2] 1:11 4:25          | <b>McComsey</b><br>[3] 1:24 6:5 6:18   |
| <b>Ayotte</b><br>[1] 2:5               | <b>Dana</b><br>[1] 2:5                                         | <b>Harens</b><br>[4] 1:15 3:9 3:10 4:15 | <b>Memo</b><br>[2] 3:22 4:7            |
| <b>B</b>                               | <b>Dated</b><br>[1] 6:13                                       | <b>Harlan</b><br>[1] 1:16               | <b>Michele</b><br>[1] 1:17             |
| <b>Best</b><br>[2] 1:16 3:20           | <b>Dave</b><br>[1] 1:17                                        | <b>Heaston</b><br>[1] 2:2               | <b>Montana-Dakota</b><br>[2] 1:5 3:3   |
| <b>Biewald</b><br>[2] 2:8 4:2          | <b>Dealing</b><br>[1] 3:15                                     | <b>Heather</b><br>[1] 1:18              | <b>Moody</b><br>[1] 2:2                |
| <b>Bill</b><br>[1] 2:2                 | <b>December</b><br>[3] 1:8 2:15 6:11                           | <b>Held</b><br>[1] 2:12                 | <b>Move</b><br>[1] 4:22                |
| <b>Bonrud</b><br>[1] 1:19              | <b>Decided</b><br>[1] 3:20                                     | <b>Help</b><br>[2] 3:17 3:21            | <b>N</b>                               |
| <b>Brad</b><br>[1] 2:2                 | <b>Decision</b><br>[1] 4:18                                    | <b>HEREBY</b><br>[1] 6:8                | <b>Never</b><br>[1] 3:14               |
| <b>Bruce</b><br>[2] 2:8 4:2            | <b>Denny</b><br>[1] 2:3                                        | <b>Hire</b><br>[1] 3:16                 | <b>None</b><br>[1] 4:22                |
| <b>BURG</b><br>[3] 1:12 4:11 5:1       | <b>Detailed</b><br>[1] 4:7                                     | <b>Huber</b><br>[1] 2:7                 | <b>Normal</b><br>[1] 4:13              |
| <b>C</b>                               | <b>Determination</b><br>[1] 4:16                               | <b>HUGHES</b><br>[1] 6:3                | <b>Notary</b><br>[2] 6:6 6:18          |
| <b>Capitol</b><br>[2] 2:14 2:14        | <b>Determined</b><br>[1] 4:13                                  | <b>I</b>                                | <b>P</b>                               |
|                                        | <b>Director</b>                                                | <b>Imminent</b><br>[1] 4:17             | <b>Palmer</b>                          |

# Word Index

|                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>[1] 2:5<br/>Pam<br/>[1] 1:19<br/>Payment<br/>[1] 4:14<br/>Permission<br/>[1] 4:1<br/>Pierre<br/>[2] 2:14 6:13<br/>Pretty<br/>[1] 3:22<br/>Proceedings<br/>[4] 1:8 2:12 6:9 6:12<br/>Process<br/>[1] 3:23<br/>Professional<br/>[2] 6:6 6:19<br/>Project<br/>[2] 1:6 3:4<br/>Proposal<br/>[1] 3:24<br/>Public<br/>[4] 1:1 1:10 6:6 6:18<br/>PUC<br/>[1] 4:13</p>                       | <p>[6] 1:2 2:13 2:15 6:1 6:7 6:13<br/>SS<br/>[1] 6:2<br/>Staff<br/>[3] 1:13 3:16 4:4<br/>State<br/>[4] 1:2 2:13 6:1 6:7<br/>Stewart<br/>[1] 2:3<br/>Study<br/>[1] 3:17<br/>Superior<br/>[2] 1:4 3:2<br/>Suzan<br/>[1] 2:3<br/>Synapse<br/>[5] 3:20 3:24 3:25 4:2 4:24<br/>Synopsis<br/>[1] 3:7</p> |
| <b>Q</b>                                                                                                                                                                                                                                                                                                                                                                                | <b>T</b>                                                                                                                                                                                                                                                                                           |
| <p>Questions<br/>[3] 4:3 4:4 4:21</p>                                                                                                                                                                                                                                                                                                                                                   | <p>Talbot<br/>[1] 2:4<br/>Telephone<br/>[2] 2:1 3:19<br/>Tim<br/>[1] 2:9<br/>Tina<br/>[1] 1:18<br/>Today<br/>[1] 3:5<br/>Tom<br/>[1] 2:9<br/>Took<br/>[1] 6:9<br/>Transcript<br/>[2] 1:8 2:12<br/>Transcription<br/>[1] 6:12<br/>True<br/>[1] 6:11</p>                                             |
| <b>R</b>                                                                                                                                                                                                                                                                                                                                                                                | <b>U</b>                                                                                                                                                                                                                                                                                           |
| <p>Regarding<br/>[2] 1:5 3:4<br/>Registered<br/>[2] 6:5 6:19<br/>Reisenauer<br/>[1] 2:8<br/>Renewable<br/>[2] 1:4 3:2<br/>Reported<br/>[1] 1:24<br/>Reporter<br/>[3] 6:6 6:9 6:19<br/>Request<br/>[1] 4:1<br/>Requesting<br/>[1] 3:16<br/>Research<br/>[1] 3:18<br/>Rislov<br/>[1] 1:15<br/>ROBERT<br/>[1] 1:11<br/>Rolayne<br/>[1] 1:13<br/>Room<br/>[1] 2:14<br/>RPR<br/>[1] 1:24</p> | <p>Ultimately<br/>[1] 3:19<br/>Useful<br/>[1] 4:8<br/>Utilities<br/>[4] 1:1 1:5 1:10 3:3</p>                                                                                                                                                                                                       |
| <b>S</b>                                                                                                                                                                                                                                                                                                                                                                                | <b>V</b>                                                                                                                                                                                                                                                                                           |
| <p>Sahr<br/>[5] 1:11 3:1 3:11 4:6 4:20<br/>Sara<br/>[1] 1:15<br/>Second<br/>[1] 4:25<br/>Seeing<br/>[1] 4:22<br/>Senger<br/>[1] 1:16<br/>Sevold<br/>[1] 2:4<br/>Shall<br/>[1] 3:5<br/>Shorthand<br/>[2] 6:9 6:9<br/>Smith<br/>[1] 1:14<br/>South</p>                                                                                                                                    | <p>VICE<br/>[2] 1:11 4:25</p>                                                                                                                                                                                                                                                                      |
|                                                                                                                                                                                                                                                                                                                                                                                         | <b>W</b>                                                                                                                                                                                                                                                                                           |
|                                                                                                                                                                                                                                                                                                                                                                                         | <p>Welk<br/>[1] 2:9<br/>Well-aware<br/>[1] 3:11<br/>Wieczsorek<br/>[1] 2:4<br/>Wiest<br/>[1] 1:13<br/>Willing<br/>[1] 3:25<br/>Wind<br/>[2] 1:6 3:4<br/>Wittler<br/>[3] 1:24 6:5 6:18</p>                                                                                                          |